



UNITED STATES DEPARTMENT OF COMMERCE
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08/060,653	05/13/93	HOGUE	1411.0210000

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ART UNIT	PAPER NUMBER
2512	3

DATE MAILED: 03/07/94

This is a communication from the examiner in charge of your application
COMMISSIONER OF PATENTS AND TRADEMARKS

- ☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.
- A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-12 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-12 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Art Unit: 2512

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Specification

2. The Abstract of the Disclosure is objected to because on line 3 the language "is disclosed" should be avoided since it can be implied. Correction is required. See M.P.E.P. § 608.01(b).

3. The disclosure is objected to because of the following informalities: On page 10, lines 24 and 29, the serial numbers of the applications should be inserted in place of "(to be determined)". On page 11, line 8 and page 12, line 4 numerals "300" and "310" are referred to in the specification but are not shown in the drawings. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. Claims 2-12 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Serial Number: 08/060,653

-3-

Art Unit: 2512

In claims 2, 6 and 10, line 2, "Panasonic Model D350" is vague to the structure of the helical deck and indefinite since the model may change over time.

In claim 5, lines 10, 14, 15 and 17-18, "Storage Technology Corporation Model 4400" and "4400 automated cartridge system" are vague to the structure of the automated cartridge system and indefinite since the model may change over time.

In claim 9, lines 2, 6, 7 and 16, "3480-style cartridge" is vague to the structure of the cartridge and indefinite since the model may change over time.

In claims 4, 8 and 12, line 3 "said take-reel" should be -- said take-up reel -- for proper antecedent basis.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same

Art Unit: 2512

person or subject to an obligation of assignment to the same person.

Claims 1-4 and 9-12 are rejected under 35 U.S.C. § 103 as being unpatentable over Shimizu et al in view of Godsoe et al and further in view of Applicant's admitted prior art as shown on page 8, lines 18-27.

With regard to claims 1-4 and 9-12, Shimizu et al shows in Figure 1 a tape loading system including a chassis (1) having a front end portion and a rear end portion; an elevator assembly (9) mounted on said chassis at said front end, said elevator assembly configured to receive a 3480-style cartridge (14) and position the cartridge in a loaded position; and a take-up reel assembly (94,95) coupled to said chassis at said rear end portion. Shimizu et al further shows in Figure 1 the 3480-style cartridge has magnetic recording tape which is wound on a supply reel (38) rotatably mounted within the cartridge and has a leader block (39) attached to one end for use in withdrawing the end from the tape cartridge. Shimizu et al further shows in Figure 1 a supply reel drive assembly (35-37) co-located with said elevator assembly, said supply reel drive assembly configured to couple with the supply reel of the cartridge and to rotatably drive the supply reel. Shimizu et al further shows in Figure 1 the take-up reel assembly includes a take-up reel (94) and a servomotor (95) coupled to said take-up reel. Shimizu et al does not show a linear threading mechanism or a helical deck. Godsoe

Art Unit: 2512

et al shows in Figure 1 a linear tape threading system including a substantially linear tape loading path between an elevator assembly (26) and a take-up reel assembly (28) with a movable guide (42) for seizing the tape from the loading path and wrapping the tape around the magnetic head (32). The movable guide is configured to grasp the leader block of the tape, thread the tape through said tape loading path and couple said leader block to said take-up reel assembly. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the tape loading system of Shimizu et al with the linear tape threading system as taught by Godsoe et al. The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to use the linear tape threading system as taught by Godsoe et al since it does not require an external force to accomplish the threading of the magnetic tape through the tape loading path. Applicant's admitted prior art as shown on page 8, lines 18-27 teaches the use of a helical deck with a rotary read/write head is known in a Panasonic Model D350 digital video cassette recorder. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the tape loading system of Shimizu et al in view of Godsoe et al with the helical deck as shown by Applicant's admitted prior art on page 8, lines 18-27 so that the helical deck is mounted on a central portion of the

Art Unit: 2512

chassis between the elevator assembly and the take-up reel. The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to use the helical deck as taught by Applicant's admitted prior art on page 8, lines 18-27 since it allows tape cartridges written in helical scan format to be read by the tape loading system.

6. Claims 5-8 are rejected under 35 U.S.C. § 103 as being unpatentable over Shimizu et al in view of Godsoe et al and Applicant's admitted prior art as shown on page 8, lines 18-27 and further in view of Moy et al.

Shimizu et al in view of Godsoe et al and Applicant's admitted prior art as shown on page 8, lines 18-27 show all the features as described, *supra*, except for a plurality of transports vertically spaced eleven inches on center dimensioned to fit within a rectangular enclosure measuring approximately twelve and one-half inches wide by twenty-six and one-half inches deep and that the front end of the chassis extends seven inches outward from the enclosure to mate with a Storage Technology Corporation Model 4400 automated cartridge system. Moy et al shows a Storage Technology Corporation Model 4400 automated cartridge system. It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the tape loading system of Shimizu et al in view of Godsoe et al and Applicant's admitted prior art as shown on page 8, lines 18-27 to

Serial Number: 08/060,653

-7-

Art Unit: 2512

have the dimensions described above and place it in the automated cartridge system as taught by Moy et al. The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to place the tape loading system of Shimizu et al in view of Godsoe et al and Applicant's admitted prior art as shown on page 8, lines 18-27 in the automated cartridge system of Moy et al to increase the memory capacity of the automated cartridge system and the above dimensions would result from modifying the tape loading system of Shimizu et al in view of Godsoe et al and Applicant's admitted prior art as shown on page 8, lines 18-27 to fit in the automated cartridge system of Moy et al.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Korzuch whose telephone number is (703) 308-1296.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.

William R. Korzuch

William R. Korzuch

March 2, 1994

Stuart S. Levy
STUART S. LEVY
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